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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/733,184	12/10/2003 JUN 14 2006 USPTO PATENT & TRADEMARK OFFICE	Chaitan Khosla	300622000509

25225  
MORRISON & FOERSTER LLP  
12531 HIGH BLUFF DRIVE  
SUITE 100  
SAN DIEGO, CA 92130-2040

CONFIRMATION NO. 8054

FORMALITIES  
LETTER

Date Mailed: 04/14/2006

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A *properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

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For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951

- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Replies should be mailed to: **Mail Stop Missing Parts  
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*A copy of this notice **MUST** be returned with the reply.*

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

		Application Number	10/733,184
		Filing Date	December 10, 2003
		First Named Inventor	Chaitan KHOSLA
		Art Unit	1616
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	22	Attorney Docket Number	300622000509

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Copy of Notice to File Missing Parts (2 pages); Declaration and Power of Attorney (3 pages); Copy of Return Receipt Postcard Date Stamped by PTO on Aug. 23, 2004 (1 page); Statement to Support Filing and Submission etc. (2 pages); Paper Copy of Sequence Listing (5 pages); Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input checked="" type="checkbox"/> CD, Number of CD(s) <u>1</u>	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application (8 pages)	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	CUSTOMER NO. 25225	

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Brenda J. Wallach		
Date	June 14, 2006	Reg. No.	45,193

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 743883775 US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 14, 2006

Signature:

(Germaine Sarda)



## BEST AVAILABLE COPY

Atty Docket No.: 300622000509

Inventor: Chaitan KHOSLA et al.

Application No.: 10/733,184

Filing Date: December 10, 2003

Title: METHOD TO PREPARE MACROLIDE ANALOGS (AS AMENDED)

NXM

## RECEIVED

Documents Filed:

Transmittal (1 page)

CRF Copy of Sequence Listing (1 CD) AUG 23 2004

Fee Transmittal (1 page + duplicate)

Copy of Notice to File Missing Parts (2 pages)  
MORRISON & FOERSTER  
SAN DIEGO

Two Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Response to Notice to File Missing Parts (7 pages)

Declaration for Patent Application (3 pages)

Statement to Support Filing and Submission of Sequence Listing (2 pages)

Paper Copy of Sequence Listing (5 pages)

Via: Express Mail: Airbill No. EV420264047US

Sender's Initials: BJW/bsc

YMC

Date: August 13, 2004



EV420264047US



PATENT  
Docket No. 300622000509

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Germaine Sarda

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Chaitan KHOSLA et al.

Serial No.: 10/733,184

Filing Date: December 10, 2003

For: METHOD TO PREPARE MACROLIDE  
ANALOGS (AS AMENDED)

Confirmation No.: 8054

Group Art Unit: 1616

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice to File Missing Parts of Non-Provisional Application mailed April 14, 2006, for which a response is due on June 14, 2006. Accordingly, this Response is timely filed.

Enclosed is a copy of the Declaration and Power of Attorney previously submitted on August 13, 2004, along with a copy of the date stamped return receipt postcard showing the Declaration and fees were timely filed. Therefore, no fee is believed to be due.

Prior to examination of the above-identified application, the Examiner is respectfully requested to enter the following Sequence Listing, amendment, and remarks.

**In the Sequence Listing**

Please insert a paper copy (pages 1-5) of the Sequence Listing after the Abstract in the above-captioned patent application. A computer readable form (CRF copy) of the Sequence Listing accompanies this response.